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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/798,459	03/11/2004	Kurt Brooks Uhler	N0184 US	7407
37583 7590 10/18/2007 NAVTEQ NORTH AMERICA, LLC 425 West RANDOLPH STREET SUITE 1200, PATENT DEPT CHICAGO, IL 60606			EXAMINER CAO, PHUONG THAO	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/798,459

Applicant(s)

UHLIR ET AL.

Examiner

Phuong-Thao Cao

Art Unit

2164

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 August 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 22-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 22-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is in response to Amendment/RCE filed on 08/23/2007 and entered with an RCE.
2. Claims 1-21 have been cancelled, and claims 22-34 have been added. Currently, claims 22-34 are pending.

Continued Examination Under 37 CFR 1.114

3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 08/23/2007 has been entered.

Response to Arguments

4. Applicant's arguments with respect to claims 22-34 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 22-24, 28, 30-31 and 34 (effective filing date 03/11/2004) are rejected under 35 U.S.C. 102(b) as being anticipated by Paulauskas et al. (US Patent No 6,401,033 issued on 6/4/2002).

As to claim 22, Paulauskas et al. teaches:

“A method for deriving at least two products from a source geographic database, the source geographic database comprising data representing real-world geographic features” (see Paulauskas et al., [column 3, lines 35-55] wherein each storage medium with an appropriate data for a geographic region is interpreted as a product from the geographic data 70 (source) including information about one or more geographic regions or coverage areas), the method comprising:

“extracting a first dataset from the source geographic database” (see Paulauskas et al., [column 3, lines 42-50] wherein portion (e.g., some or all) of the geographic data can be broadly considered as a first dataset);

“writing the first dataset to a first computer-readable medium; (see Paulauskas et al., [column 3, lines 48-50]);

“using at least a portion of the first dataset in a real-world navigation system” (see Paulauskas et al., [column 4, lines 5-45]);

“extracting a second dataset from the source geographic database” (see Paulauskas et al., [column 3, lines 42-50] wherein portion (e.g., some or all) of the geographic data can be broadly considered as a second dataset; also see [column 3, lines 53-55] wherein each storage medium with appropriate data for a geographic region represents a separate dataset);

“writing the second dataset to a second computer-readable medium” (see Paulauskas et al., [column 3, lines 53-55] wherein each storage medium with appropriate data for a geographic region represents a separate dataset); and

“using at least a portion of the second dataset in a computer-game system; wherein the computer-game system is separate from the real-world navigation system” (see Paulauskas et al., [column 9, lines 56-62]).

As to claim 23, this claim is rejected based on arguments given above for rejected claim 22 and is similarly rejected including the following:

Paulauskas et al. teaches:

“wherein the real-world navigation system is selected from a group consisting of: in-vehicle navigation systems, hand-held portable navigation system, personal computers, personal digital assistants, pagers, and telephones” (see Paulauskas et al., [column 2, lines 30-43]).

As to claim 24, this claim is rejected based on arguments given above for rejected claim 22 and is similarly rejected including the following:

Paulauskas et al. teaches:

“wherein using at least a portion of the first dataset in a real-world navigation system comprises providing a service selected from a set consisting of route calculation, route guidance, vehicle positioning, map display, and electronic yellow pages” (see Paulauskas et al., [column 3, lines 1-15] and [column 4, lines 15-26]).

As to claim 28, this claim is rejected based on arguments given above for rejected claim 22 and is similarly rejected including the following:

Paulauskas et al. teaches:

“combining at least a portion of the second dataset with a computer-game component selected from a set consisting of: characters, game logic, vehicles, game rules, rendering logic, and graphic logic” (see Paulauskas et al., [column 4, lines 58-62] for combining geographic data with game rules).

As to claim 30, this claim is rejected based on arguments given above for rejected claim 22 and is similarly rejected including the following:

Paulauska et al. teaches:

“accessing the second set of data using an application programming interface” (see Paulauskas et al., [column 6, lines 15-20] wherein the game application must obtain data from the geographic database through an application programming interface).

As to claim 31, this claim is rejected based on arguments given above for rejected claim 22 and is similarly rejected including the following:

Paulauskas et al. teaches:

“accessing the second set of data using a spatial query” (see Paulauskas et al., [column 8, lines 27-30] and [column 9, lines 20-30] wherein query based on location is interpreted as spatial query).

As to claim 32, this claim is rejected based on arguments given above for rejected claim 22 and is similarly rejected including the following:

Paulauskas et al. teaches:

“extracting data from the second set of data using spatial criteria” (see Paulauskas et al., [column 6, lines 15-25] wherein obtaining only sign text information along the route upon which the vehicle is traveling indicates the use of spatial criteria).

As to claim 34, Paulauskas et al. teaches:

“A computer-readable medium having computer-executable instructions stored thereon for performing a method for deriving at least two products from a source geographic database, the source geographic database comprising data representing real-world geographic features” (see Paulauskas et al., [column 3, lines 35-55] wherein each storage medium with an appropriate data for a geographic region is interpreted as a product from the geographic data 70 (source) including information about one or more geographic regions or coverage areas), the method comprising:

“extracting a first dataset from the source geographic database” (see Paulauskas et al., [column 3, lines 42-50] wherein portion (e.g., some or all) of the geographic data can be broadly considered as a first dataset);

“writing the first dataset to a first computer-readable medium; (see Paulauskas et al., [column 3, lines 48-50]);

“using at least a portion of the first dataset in a real-world navigation system” (see Paulauskas et al., [column 4, lines 5-45]);

“extracting a second dataset from the source geographic database” (see Paulauskas et al., [column 3, lines 42-50] wherein portion (e.g., some or all) of the geographic data can be broadly considered as a second dataset; also see [column 3, lines 53-55] wherein each storage medium with appropriate data for a geographic region represents a separate dataset);

“writing the second dataset to a second computer-readable medium” (see Paulauskas et al., [column 3, lines 53-55] wherein each storage medium with appropriate data for a geographic region represents a separate dataset); and

“using at least a portion of the second dataset in a computer-game system; wherein the computer-game system is separate from the real-world navigation system” (see Paulauskas et al., [column 9, lines 56-62]).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 25, 27 and 33 (effective filing date 3/11/2004) are rejected under 35

U.S.C. 103(a) as being unpatentable over Paulauskas et al. (US Patent No 6,401,033 issued on 6/4/2002) in view of Koller et al. ("Virtual GIS: A Real-Time 3D Geographic Information System", IEEE: 1995).

As to claim 25, Paulauskas et al. teaches all limitations as recited in claim 22.

However, Paulauskas et al. does not teach "combining at least a portion of the second dataset with a road-model dataset to provide a realistic visual appearance of roads; wherein the road-model dataset is separate from the source geographic database".

On the other hand, Koller et al. teaches "combining at least a portion of the second dataset with a road-model dataset to provide a realistic visual appearance of roads; wherein the road-model dataset is separate from the source geographic database" (see Koller et al., [page 96, column 1, paragraph 2] and [page 96, column 2, paragraph 4] for combining geographic information database (second dataset) and models of roads, trees, buildings, vehicles (road-model dataset)).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to incorporate the teaching of Koller et al. into Paulauskas et al.'s system. One having ordinary skill in the art would have found it motivated to do so to effectively provide

realistic visual appearance of roads in the region, thereby improving the graphical representation of system.

As to claim 27, Paulauskas et al. teaches all limitations as recited in claim 22.

However, Paulauskas et al. does not teach “combining at least a portion of the second dataset with a 3D-model dataset to provide a realistic visual presentation of a feature selected from a set consisting of: polygon-shape features, cityscape features, landscape features, buildings, fences, trees, shrubbery, lawns, and clouds; wherein the 3D-model dataset is separate from the source geographic database”.

On the other hand, Koller et al. teaches “combining at least a portion of the second dataset with a 3D-model dataset to provide a realistic visual presentation of a feature selected from a set consisting of: polygon-shape features, cityscape features, landscape features, buildings, fences, trees, shrubbery, lawns, and clouds; wherein the 3D-model dataset is separate from the source geographic database” (see Koller et al., [page 95, column 2, paragraph 2-4], [page 96, column 1, paragraph 2 and 3] and [page 96, column 2, paragraph 4] for combining geographic information database (second data set) with 3D models of shapes, trees, buildings, roads, waterways (3D-model dataset).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to incorporate the teaching of Koller et al. into Paulauskas et al.’s system. A skilled artisan would have been motivated to do so in order to provide a realistic visual representation of features in the region thereby providing an effective way to build computer game scenes with more realistic views which plays a key role in attracting computer game users.

As to claim 33, Paulauskas et al. teaches all limitations as recited in claim 22.

However, Paulauskas et al. does not teach “filtering data from the second set of data to provide a desired level of accuracy”.

On the other hand, Koller et al. teaches “filtering data from the second set of data to provide a desired level of accuracy” (see Koller et al., [page 97, column 1, paragraph 3-5]).

It would be obvious to a person having ordinary skill in the art at the time the invention was made to have incorporate the teaching of Koller et al. into Paulauskas et al.’s system. A skilled artisan would have been motivated to do so to provide the computer game developers with an flexible and effective way to get only a set of data needed to render pictures with desired level of accuracy in their computer games.

9. Claim 26 (effective filing date 3/11/2004) is rejected under 35 U.S.C. 103(a) as being unpatentable over Paulauskas et al. (US Patent No 6,401,033 issued on 6/4/2002) in view of Koller et al. (“Virtual GIS: A Real-Time 3D Geographic Information System”, IEEE: 1995), and further in view of Freedman (Map Quests, 2/2004).

As to claim 26, Paulauskas et al. and Koller et al. teach all limitations of claim 25.

However, Paulauskas et al. and Koller et al. do not explicitly teach “wherein the road-model dataset comprises a feature selected from a set consisting of: road-pavement colors, lane-stripe markings, curbs, sidewalks, signs, lampposts, land dividers, traffic signals, speed bumps, and crosswalks”.

On the other hand, Freedman teaches “wherein the road-model dataset comprises a feature selected from a set consisting of: road-pavement colors, lane-stripe markings, curbs, sidewalks, signs, lampposts, land dividers, traffic signals, speed bumps, and crosswalks” (see Freedman, see the picture of game “True Crime: Streets of LA”).

It would be obvious to a person having ordinary skill in the art at the time the invention was made to have incorporate the teaching of Freedman into Paulauskas et al. and Koller et al.’s system. A skilled artisan would have been motivated to do so to in order to provide a realistic visual representation of roads with its related features thereby providing an effective way to build computer game scenes with more realistic views which plays a key role in attracting computer game users.

10. Claim 29 (effective filing date 3/11/2004) is rejected under 35 U.S.C. 103(a) as being unpatentable over Paulauskas et al. (US Patent No 6,401,033 issued on 6/4/2002) in view of Freedman (Map Quests, 2/2004).

As to claim 29, Paulauskas et al. teaches all limitations of claim 22.

However, Paulauskas et al. does not explicitly teach:

“providing at least a portion of the second dataset to each of a plurality of end-user computing platforms”; and

“on each of the plurality of end-user computing platforms, using at least a portion of second dataset to represent geographic features in a play scenario of a computer game”.

On the other hand, Freedman teaches:

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“providing at least a portion of the second dataset to each of a plurality of end-user computing platforms” (see Freedman, under “True Crime: Streets of LA”; wherein satellite imagery, GPS and geological surveys provides geographic data to the game which operates on multiple computing platforms (e.g., PS2, GameCube, Xbox)); and

“on each of the plurality of end-user computing platforms, using at least a portion of second dataset to represent geographic features in a play scenario of a computer game” (see Freedman, under “True Crime: Streets of LA”, presenting streets of LA as game scenes).

It would be obvious to a person having ordinary skill in the art at the time the invention was made to have incorporate the teaching of Freedman into Paulauskas et al.'s system. A skilled artisan would have been motivated to do so to in order to provide a realistic scenes in virtual game environment, thereby providing computer games with realistic real-life views which plays a key role in attracting computer game users.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong-Thao Cao whose telephone number is (571) 272-2735. The examiner can normally be reached on 8:30 AM - 5:00 PM (Mon - Fri).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571) 272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



CHARLES RONES
SUPERVISORY PATENT EXAMINER

Phuong-Thao Cao
Art Unit 2164
October 9, 2007